

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

DELOISE PRICE,

PLAINTIFF

VS.

CASE No. 2:06-CV-721

**WAL-MART STORES, INC.,
et al.,**

DEFENDANTS

DEFENDANTS REQUESTED VOIR DIRE QUESTIONS

Come now defendants and submit the following list of requested voir dire questions to be used at the trial of this case in addition to the questions contained in the Federal Juror Questionnaire:

ADDITIONAL VOIR DIRE

1. Do any of you know Mrs. Price's first husband Willie Lee Beverly?
2. Did any of you know Deloise Beverly of Camden?
3. Have any of you ever attended or are you a member of the Hope Ministry International Holiness church near the Red Lion Apartments in Montgomery?
4. Have you ever been represented by Jock M. Smith or Brian P. Strength or anyone at the law firm of Cochran, Cherry, Givens & Smith?

5. Do you know, even in the slightest, any of the above lawyers or anyone who works for their law firm of Cochran, Cherry, Givens & Smith in Dothan or Tuskegee? If so, please state how you know them.

6. Do you know any of the following witnesses the plaintiff may call in this case? If so, please state who you know and how you know them:

- a. Willie J. Price of 5850 Carriage Brook Road.
- b. Michelle Jackson of 2910 Peabody Road.
- c. Ella Frazer of 5751 Red Barn Road.
- d. Willie L. Beverly, Jr. of 5850 Carriage Brook Road.
- e. Martha Mack of 9306 Country Road 26 in Hope Hull.
- f. Dr. Glenn Chesnutt, a chiropractor with an office at 5931 Carmichael Road.
- g. Dr. Rosanne Cook of Pine Apple, AL.

7. Do any of you live near 5850 Carriage Brook Road in Montgomery?

8. Have any of you used what is known as an elliptical exercise machine which involves moving foot pedals and handle bars back and forth?

9. Are any of you presently covered under the Medicaid program like Mrs. Price?

10. Have any of you lived in Wilcox County where Mrs. Price is originally from? If so, please state:

- a. How long ago did you last live there?
- b. Did you ever live in Camden?
- c. Did any of you attend Camden Academy where Mrs. Price went to school?
- d. Are you familiar with Bill's Dollar Store in Camden?

11. Do you or any member of your family currently receive disability benefits from the government? If so, please state the nature of the disability or what causes the disability.

12. Do any of you receive a newsletter published by any lawyers? If so, what is the name of the lawyer or law firm that sends you the newsletter?

13. Those of you who have served on civil juries in the past please stand and state:

- a. What the case was about, and
- b. What the result was.

14. Those of you who have testified in a civil case in court before, please stand and state

- a. What the case was about,
- b. What you testified about, and

c. Who called you as a witness.

15. Do any of you work in a job that requires you to be familiar with the Medicaid or Medicare programs and the benefits provided by those programs?

16. Have any of you purchased any home exercise equipment such as exercise bikes, treadmills, elliptical machines or the like? If so, please identify:

a. What equipment you have purchased;

b. Where you purchased it from.

c. Whether any assembly was required by you before using it.

17. Do any of you hold any ill will or negative feelings toward Wal-Mart or Sam's Club in general? If so, can you put aside those feeling and be fair to Wal-Mart in this case?

18. Have you ever worked for a Wal-Mart or Sam's Club? If so, state:

a. Your position with the store,

b. If no longer employed your last date of employment,

c. Whether you had a positive or negative feeling about Wal-Mart or Sam's Club after working there.

19. Have any of you ever purchased a product from a Sam's Club or Wal-Mart that was assembled by the employees of the store? If so, please ask them to approach the bench before asking the following questions:

a. If so, what was the product you purchased?

- b. What store did you purchase it from?
- c. Approximately how long ago?
- d. Do you remember whether you were charged anything for the assembly?

/s/ Dennis R. Bailey
Dennis R. Bailey
Attorney for Defendants

Of counsel:

RUSHTON, STAKELY, JOHNSTON & GARRETT, P.A.
184 Commerce Street
Post Office Box 270
Montgomery, Alabama 36101-0270
(334) 206-3234 (phone)
(334) 481-0031 (fax)
drb@rsjg.com (e-mail)

CERTIFICATE OF SERVICE

I hereby certify that I have filed the foregoing pleading through the ECMF system on this the 9th day of November, 2007, which will forward same to:

Jock M. Smith
Brian P. Strength
Valerie Rucker Russell
Cochran, Cherry, Givens, Smith, Lane & Taylor
Post Office Box 830419
Tuskegee, Alabama 36083

/s/ Dennis R. Bailey
Of counsel